

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

)

Plaintiff,
vs.

Case No.: 2:16-cr-00265-GMN-NJK

PASTOR PALAFOX, *et al.*,

)

Defendants.

ORDER

PASTOR PALAFOX, *et al.*,

)

Defenda

)

Pending before the Court is Defendant Victor Ramirez's ("Ramirez") Motion for Joinder, (ECF No. 995). Defendant Ramirez moves to join Defendant Ernesto Gonzalez's ("Gonzalez") Motion Seeking Procedures for Determining Admissibility of Operation Pure House Statements, (ECF No. 701). Upon review of the docket, this Motion should have been granted during the June 27, 2019 status conference, (ECF No. 1667). Good cause being, Ramirez's Motion for Joinder, (ECF No. 995), is **GRANTED**.

Also pending before the Court is Defendant James Henderson’s (“Henderson”) Motion for Joinder, (ECF No. 1251). Henderson moves to join Gonzalez’s Reply, (ECF No. 1208), in support of Gonzalez’s Motion for Notice of Intent to Introduce Evidence Pursuant to Rule 404(b), (ECF No. 699). Upon review of the docket, Henderson’s Motion for Joinder, should have been granted in the Court’s prior Order, (ECF No. 1516). Good cause appearing, Henderson’s Motion for Joinder, (ECF No. 1251), is **GRANTED**.

Also pending before the Court is Defendant Robert Coleman’s (“Coleman”) Motion for Joinder, (ECF No. 1238). Coleman moves to join Gonzalez’s Reply, (ECF No. 1232), in support of Gonzalez’s Motion Seeking Procedures for Determining Admissibility of Operation Simple Green Statements, (ECF No. 702). Upon review of the docket, this Motion should have

1 been granted in the Court's Minute Order, (ECF No. 1476). Good cause appearing, Coleman's
2 Motion for Joinder, (ECF No. 1238), is **GRANTED**.

3 Also pending before the Court is Coleman's Motion for Joinder, (ECF No. 1269).
4 Coleman moves to join Gonzalez's Reply, (ECF No. 1259), in support of Gonzalez's Motion to
5 Suppress Cell Site Location Information and Text Message Content, (ECF No. 804). For the
6 reasons set forth in Judge Hoffman's Order and Report and Recommendation, (ECF No. 1422),
7 Coleman's Motion for Joinder, (ECF No. 1269), is **DENIED**.

8 Also pending before the Court is Coleman's Motion for Joinder, (ECF No. 1313).
9 Coleman moves to join Defendant Jeremy Halgat's ("Halgat") Reply, (ECF No. 1264), in
10 support of Halgat's Motion in Limine to Preclude "Gang" Reference, (ECF No. 857). Upon
11 review of the docket, this Motion should have been granted in the Court's Minute Order, (ECF
12 No. 1476). Good cause appearing, Coleman's Motion for Joinder, (ECF No. 1313), is
13 **GRANTED**.

14 Also pending before the Court is Defendant John Juarez's ("Juarez") Motion for Joinder,
15 (ECF No. 1272). Juarez moves to join Gonzalez's Reply, (ECF No. 1232), in support of
16 Gonzalez's Motion Seeking Procedures for Determining Admissibility of Operation Simple
17 Green Statements, (ECF No. 702). Upon review of the docket, this Motion should have been
18 granted in the Court's Minute Order, (ECF No. 1476). Good cause appearing, Juarez's Motion
19 for Joinder, (ECF No. 1272), is **GRANTED**.

20 Also pending before the Court are the Motions for Joinder filed by Juarez and Coleman,
21 (ECF Nos. 1273, 1237). In the Motions, Juarez and Coleman move to join Gonzalez's Reply,
22 (ECF No. 1233), in support of Gonzalez's Motion to Suppress Evidence Pertaining to RICO
23 Overt Act #5, (ECF No. 781). An individual seeking to exclude evidence allegedly obtained in
24 violation of the Fourth Amendment protections must have standing. *United States v. Pulliam*,
25 405 F.3d 782, 785–86 (9th Cir. 2005). The defendant bears the burden of demonstrating that

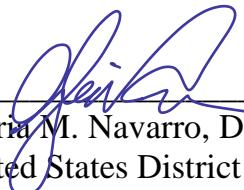
1 his Fourth Amendment rights were violated by the unlawful search and seizure. *United States v.*
2 *Caymen*, 404 F.3d 1196, 1199 (9th Cir. 2005). The Fourth Amendment's protections may be
3 invoked by a criminal defendant if he can demonstrate a "legitimate expectation of privacy in
4 the place searched or of the item[s] seized." *United States v. Ziegler*, 474 F.3d 1184, 1189 (9th
5 Cir. 2007). Here, neither Juarez nor Coleman explain how they had a reasonable expectation of
6 privacy in the places searched or the items seized. Accordingly, the Motions for Joinder, (ECF
7 Nos. 1273, 1237), are **DENIED**.

8 **I. CONCLUSION**

9 **IT IS HEREBY ORDERED** that the Motions for Joinder, (ECF Nos. 995, 1251, 1238,
10 1313, 1272), are **GRANTED**.

11 **IT IS FURTHER ORDERED** that the Motions for Joinder, (ECF Nos. 1269, 1237,
12 1273), are **DENIED**.

13 **DATED** this 7 day of January, 2020.

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Gloria M. Navarro, District Judge
United States District Court